

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ELMORE NICHOLS, :
 :
Plaintiff, :
 :
vs. : CIVIL ACTION 04-0065-BH-M
 :
BOB RILEY, et al., :
 :
Defendants. :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **DISMISSED** without prejudice for lack of jurisdiction.

DONE this 8th day of January, 2007.

s/ W. B. Hand
SENIOR DISTRICT JUDGE